

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BORGNE et al. Atty. Ref.: 1721-96; Confirmation No. 5777

Appl. No. 10/542,708 TC/A.U. 1635

Filed: November 10, 2005 Examiner: Gibbs

For: MEANS FOR REGULATING THE EXPRESSION OF HUMAN ISOFORMS OF ANT

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October 6, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION FOR COMPLETE OFFICE ACTION WITH DATE RE-SET FOR RESPONSE
FROM MAILING OF NEW COMPLETE ACTION**

The Office Action dated August 28, 2008 has been received.

A new Office Action in place of the Office Action dated August 28, 2008 is requested with the date for responding being re-set from the mail date of the new Action.

The Office Action of August 28, 2008 is submitted to be incomplete and a new Action is requested because the Office Action does not include a consideration of claims 7-9 on the merits. The Examiner states that claims 7-9 have not been considered on the merits as the claims are alleged to be improperly multiply dependent. See page 5 of the Office Action dated August 28, 2008.

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Claim 7 however is dependent on independent claim 1. Claim 8 is dependent on claim 7 and claim 9 is dependent on claim 1. See "Claims" indexed at November 10, 2005 in the PTO IFW which includes the claims filed November 10, 2005 as a part of the applicants Supplemental Amendment.

The applicants note, for completeness, that the Fee Worksheet (PTO-06) indexed in the PTO IFW on November 10, 2005 appears to confirm that 9 total effective claims, 1 independent claim and no multiple dependent claims exist in the application.

A new Office Action is requested which re-sets the due date for responding from the mail date of the new Action and which includes a consideration of claims 7-9 on the merits.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____ /B. J. Sadoff/
B. J. Sadoff
Reg. No. 36,663

BJS:

901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100